THE HON'BLE MR JUSTICE S. ANANDA REDDY

WRIT PETITION NO: 7567 OF 2005

DATED:11.08.2005

Between:

Annam Elisha, S/o. Adaiah, aged about 48 years,

Occ:President of Mandal Parishad, Maddipadu,

Prakasam District, Ongole.

……PETITIONER

AND

The Collector, Prakasam District, Ongole.

And four others.

……RESPONDENTS

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WRIT PETITION NO:7567 of 2005

ORDER

This Writ Petition is filed by the petitioner, who is stated to be an elected President of Mandal Parishad of Maddipadu, Prakasam District, seeking a writ of Mandamus declaring the action of the third respondent in suspending the Extension Officer (Panchayat Raj & Rural Development) and Incharge Mandal Parishad Development Officer, Maddipadu, by proceedings, dated 16.3.2005, and transfer orders of the fifth respondent by proceedings, dated 17.3.2005, as illegal, arbitrary and violative of the principles of natural justice as well as contrary to the provisions of the A.P. Panchayat Raj Act.

According to the petitioner, if any officer is transferred to the office of the Mandal Parishad, the petitioner, being the President, is to be communicated with the said order of transfer, but without any communication of the order of transfer of the fifth respondent to the petitioner, she was transferred and further the petitioner is also seeking declaration of the suspension of the Extension Officer as illegal, who is not even made a party.

If actually, any suspended officer, who is in the service of the Panchayat Raj Department is aggrieved, he has to approach the A.P. Administrative Tribunal seeking redressal. Perhaps, to avoid the said course available to the said suspended officer, the petitioner taking the cause of the suspended officer, has come up with the present writ petition, seeking declaration of the said suspension as illegal and arbitrary. It is not known how the petitioner is entitled to file the writ

petition questioning the suspension of one of the officers of the Panchayat Raj Department. On the simple ground that the petitioner is not entitled to assail the suspension order of the Extension Officer, the Writ Petition is liable to be dismissed.

So far as the other issue as to the transfer of the fifth respondent is concerned, the claim of the petitioner is that he was not communicated with the order of the transfer of the fifth respondent, but a perusal of the proceedings, under which, the fifth respondent was transferred, clearly shows that a copy of the order was already marked to the President, Mandal Parishad of Maddipadu. Therefore, there is no merit even with reference to the second contention also.

Under the above circumstances, the Writ Petition is devoid of merits and the same is dismissed. No costs.

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S. ANANDA REDDY,J

11TH AUGUST 2005

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